

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DISTRICT

GOVERNMENT OF GUAM
RETIREMENT FUND, *et al.*,

Plaintiff,

vs.

INVACARE CORPORATION, *et al.*,

Defendants.

Case No. 1:13CV1165

JUDGE CHRISTOPHER A. BOYKO

NOTICE OF MOTION AND
LEAD PLAINTIFF'S MOTION FOR CLASS CERTIFICATION

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE that on August 25, 2015, at 10:30 a.m., before the Honorable Christopher A. Boyko, in Courtroom 15B of the United States District Court for the Northern District of Ohio, Eastern Division, Carl B. Stokes United States Courthouse, located at 801 West Superior Avenue, Cleveland, Ohio 44113, Lead Plaintiff the Government of Guam Retirement Fund, will and hereby does move this Court for an order certifying this matter as a class action pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(3), appointing Lead Plaintiff as Class representative, and appointing Bernstein Litowitz Berger & Grossmann LLP as Class Counsel.

STATEMENT OF ISSUES TO BE DECIDED

1. Whether, pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(3), this action should be certified as a class action;
2. Whether Lead Plaintiff the Government of Guam Retirement Fund should be appointed Class representative; and
3. Whether Bernstein Litowitz Berger & Grossmann LLP should be appointed Class counsel.

This motion is based upon this Notice of Motion and Motion, the Memorandum of Law in support thereof, the accompanying Declaration of Benjamin Galdston in Support of Lead Plaintiff's Motion for Class Certification, all pleadings and papers filed herein, the arguments of counsel and any other matters properly before the Court.

Dated: January 30, 2015

Respectfully submitted,
BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP

/s/ Benjamin Galdston

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*Local Counsel for Lead Plaintiff Government
of Guam Retirement Fund*

CERTIFICATE OF SERVICE

A copy of the foregoing was filed electronically this 30th day of January, 2015. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Benjamin Galdston

Benjamin Galdston